IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION (L) NO.616 OF 2006
IN
COMPANY PETITION NO.620 OF 2005

Konega International Pvt.Ltd. Applicant

versus

Citibank N.A,. Respondent

C.S.Balsara i/by Rejani Associates for applicant

Mr.Cyrus Ardeshir for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22nd June 2006

PC :

1. Shri Balsara upon taking instructions from the applicant-original respondent seeks leave to withdraw this application with liberty to take out appropriate proceedings. Application for withdrawal with liberty is vehemently opposed by Shri Ardeshir appearing for the original petitioner.

2. In my view, the order granting liberty to take out appropriate proceedings, does not

prejudice the original petitioner because the company petition is already admitted. It is thereafter for this Court to pass appropriate orders on the main petition. Therefore, this objection is over ruled.

3. Company Application is dismissed as withdrawn with liberty as prayed. No order as to costs. At the request of Shri Balsara, the Company Registrar not to release the advertisement for a period of one week from today.

(S.C.DHARMADHIKARI, J.)